

1 you know --

2 REPRESENTATIVE BROWN: You don't have
3 to -- She doesn't have to stay at that poll all day long
4 chained to that desk. I mean, let's be realistic here.
5 We can't go all day without leaving our desk. I mean --
6 And I can't time the votes I have left before thinking,
7 well, I'll have time to run to the bathroom and get
8 back? And, you know, here comes the bill. Somebody
9 decided to quit talking on the floor, and it's come up
10 for a vote. We have to -- We have to think about things
11 like that. We are human.

12 MR. WILSON: I agree. And I believe that
13 we have technology to work around those issues.

14 CHAIRMAN SMITH: In the bathroom.

15 REPRESENTATIVE BROWN: Well --

16 MR. WILSON: Blackberrys? I don't -- I
17 don't know what the -- what that is. I leave that to
18 the --

19 REPRESENTATIVE BROWN: Actually, what you
20 are saying is I should --

21 REPRESENTATIVE BONNEN: Why haven't you
22 invested in that technology?

23 REPRESENTATIVE BROWN: What -- What you're
24 saying is --

25 CHAIRMAN SMITH: It was Mickey Mouse



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1 before and it's Mickey Mouse now.

2 REPRESENTATIVE BROWN: -- that I should be
3 shown missing that vote -- simply missing that vote
4 because I have to leave my desk.

5 MR. WILSON: If someone has to leave on a
6 medical emergency and is not able to vote on the day of
7 voting, I believe that, you know, that would be --

8 REPRESENTATIVE BROWN: I'm not talking
9 about a medical emergency.

10 MR. WILSON: No, I'm -- but I am. What
11 I'm -- What I'm saying is --

12 CHAIRMAN SMITH: We're all interested in
13 the subject.

14 REPRESENTATIVE BROWN: I don't -- I don't
15 think -- I think I made my point. I think you made your
16 point.

17 MR. WILSON: I believe you have.

18 REPRESENTATIVE BROWN: And we need to go
19 on to other things.

20 CHAIRMAN SMITH: Yeah. Let's, please, if
21 there's anything else on Senate Bill 362? I don't see
22 any questions. Thank you very much.

23 MR. WILSON: Thank you. Appreciate it.

24 CHAIRMAN SMITH: Karen Renick, are you
25 here? Showing not testifying, but being against Senate



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1 Bill 362.

2 James Graham? Going to show you not
3 testifying, but --

4 UNIDENTIFIED SPEAKER: He's here.

5 CHAIRMAN SMITH: Oh, I'm sorry. Got you.
6 Against Senate Bill 362.

7 MR. GRAHAM: Yes, sir.

8 CHAIRMAN SMITH: Tell us your name and who
9 you represent.

10 MR. GRAHAM: My name is James Graham. I'm
11 representing myself. I want to thank you all for
12 allowing me to come up here and take your time.
13 Hopefully, I won't waste too much of it. I'll keep an
14 eye on the clock. Biggest question is why do we need to
15 do this at all? Let's see. My understanding is that
16 this legislation, SBC362, is intended to solve the
17 problem that is virtually nonexistent. As I understand
18 it, Attorney General Greg Abbott spent \$1.4 million on
19 voter fraud -- on a voter fraud crusade in 2005 and 2006
20 that resulted in no documentation and no prosecutions of
21 a single case of voter fraud. Now, I know that this has
22 been brought up a million times, but I'm just going to
23 do it again because I like to voice my opinion on it.
24 My bill will go into place that would stop nothing
25 because there's nothing to stop. So how is that common



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1 sense legislation?

2 Just to let you all know, I have worked on
3 several campaigns. One of the recent ones that I worked
4 on was for Congressman Nick Lampson for his reelection
5 campaign in 2008. I just want to say that when I worked
6 for his campaign, I got several phone calls from people
7 all around Congressional District 22 asking me how to
8 vote. They simply don't know if they have to go up
9 there with their voter identification card or if they
10 have to have their driver's license, what exactly is
11 necessary. And if they don't have their Voter ID card,
12 how can they still vote. If that's a problem today that
13 we have, then that's a problem that we need to solve.

14 It's a very easy solution. You just go up
15 there with a bill that is addressed to the same address
16 that's on your Voter ID card and you can vote. Now,
17 \$2 million is my understanding of what you all say is
18 what we need to educate the voters. Voters don't know
19 how to vote already, so how is \$2 million going to solve
20 this? \$2 million was spent during the 2008 campaign by
21 Congressman Nick Lampson and that was only across four
22 counties. \$2 million is what you all are planning on
23 spending state-wide. That seems absolutely ridiculous
24 to me, especially when people don't know how to vote
25 already. That's just a small matter. That's my



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1 opinion.

2 But on behalf of all the voters of this
3 state, I would like to, well, say you're welcome for
4 giving you your jobs, and when you waste our time with
5 these kind of bills, it greatly angers us. Now, I can't
6 tell you how unbelievably upset and thousands of others
7 are that you continue to try to pass this kind of
8 legislation year after year, but we're fed up with it,
9 and there's a lot of problems going on right now. We're
10 seeing the biggest financial breakdown since the great
11 depression, and we, of course, get to waste our time
12 with things like this. So thank you. I know that it is
13 the elections committee, I understand, and my opinion
14 that I'm voicing is that I don't think this needs to be
15 passed because it's a waste of time.

16 CHAIRMAN SMITH: Thank you for voicing it.
17 Members, any questions? Representative Brown?

18 REPRESENTATIVE BROWN: Just one. I just
19 wanted to ask you because you were saying that people in
20 Texas don't know how to vote now --

21 MR. GRAHAM: Yes, ma'am.

22 REPRESENTATIVE BROWN: -- and what could
23 you tell me what you base that on?

24 MR. GRAHAM: Yes. Well, I worked for
25 Congressman Lampson. In the campaign office we received



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1 several phone calls a day asking us what do they do if
2 they do not have their voter registration card and
3 there's not enough time to go out and get another one.
4 We had to tell them, well, if you have obviously a
5 utility bill addressed to you, then you can go out and
6 use that. That's an example of they don't even know how
7 to vote already. Not everybody obviously, but there are
8 a few people who still need help and that's completely
9 understandable to think that \$2 million is going to
10 solve this new problem that is thrown upon everyone.
11 That's absolutely ridiculous in my opinion.

12 REPRESENTATIVE BROWN: Did you hear the
13 testimony yesterday?

14 MR. GRAHAM: I just -- I'm sorry. I just
15 got here. I was in class all yesterday, and I was in
16 class all today and just got here, so, no, I didn't hear
17 anything else.

18 REPRESENTATIVE BROWN: I appreciate you
19 taking the time to come and especially to spend time
20 with us to testify on this, but do you think the people
21 in Georgia are smarter than the people in Texas?

22 MR. GRAHAM: I'm not going to make any
23 comparison between the two states.

24 REPRESENTATIVE BROWN: They've had this
25 since 2007. They've held 16 elections up there with



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1 Voter ID without the options that this Senate Bill has
2 for something other than photo ID, and they've had --
3 not had any complaints.

4 MR. GRAHAM: There hasn't been a single
5 complaint through the entire state?

6 REPRESENTATIVE BROWN: None. None. They
7 evidently learned up there.

8 MR. GRAHAM: Okay. Well, then I guess
9 you're making the assumption that people aren't as smart
10 here when I -- I said that they're still having
11 problems, and there's no ID card already.

12 REPRESENTATIVE BROWN: So we would be
13 educating them. So we'd be helping them --

14 MR. GRAHAM: With only \$2 million.

15 REPRESENTATIVE BROWN: -- for people that
16 may not have that information.

17 MR. GRAHAM: With only \$2 million -- I'm
18 saying is not enough. If you're going to propose this,
19 then let's not make it laughable. Let's do something
20 that we can actually get accomplished.

21 CHAIRMAN SMITH: Do you like the idea of
22 instead of implementing it immediately and spending
23 money with television commercials, radio ads, whatever
24 you do educating people as they vote literally over some
25 reasonable period of time you literally hand them



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1 information that they can take home with them?

2 MR. GRAHAM: Right.

3 CHAIRMAN SMITH: Provides them a telephone
4 number where they can get a free photo ID. Again, it
5 may not be free when you consider the accompanying
6 documents depending on whether you have a birth
7 certificate.

8 MR. GRAHAM: Right.

9 CHAIRMAN SMITH: There's options available
10 to you to the extent that it's not an economic
11 impediment. To the extent that it is, you on that sheet
12 of paper provide a list of non-photo identification
13 documents that are acceptable. Say take it home with
14 them over a several year period of time and --

15 MR. GRAHAM: Not necessarily.

16 CHAIRMAN SMITH: You don't prefer that
17 over radio or TV?

18 MR. GRAHAM: No. I think -- I mean, I
19 think that makes it all a lot -- your case a lot
20 better --

21 CHAIRMAN SMITH: Okay.

22 MR. GRAHAM: -- but that's only one of my
23 concerns. That's not a main concern by any means.

24 CHAIRMAN SMITH: I understand.

25 MR. GRAHAM: I'm against it.



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1 CHAIRMAN SMITH: That won't make you
2 support the bill.

3 MR. GRAHAM: Yes.

4 CHAIRMAN SMITH: I understand. I
5 understand. Everybody understands that. Representative
6 Anchia?

7 REPRESENTATIVE ANCHIA: Yeah. Just a
8 thought.

9 MR. GRAHAM: Yes.

10 REPRESENTATIVE ANCHIA: If we did a
11 four-year layout on this and when people came -- during
12 two successful election cycles when people came to the
13 polls, if poll workers asked them to the extent they
14 didn't show a photo ID to vote, like I vote with my
15 driver's license, but let's say they came and just
16 showed their voter registration certificate. What if --
17 What if at least at the early voting locations if not on
18 election day we had cameras available for the people
19 that said you know what? I don't have photo ID. We
20 take their information, take their picture and have the
21 Secretary of State send them a voter registration card
22 with their picture on this. Does that -- I mean, is
23 that a step in the right direction; do you think?

24 MR. GRAHAM: I think it's possibly a step
25 in the right direction, but there should not be a step



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1 made to begin with because I don't think that there's a
2 problem, and I think that the Attorney General has
3 showed that there wasn't a problem.

4 REPRESENTATIVE ANCHIA: I completely agree
5 with you that the record is --

6 MR. GRAHAM: Right.

7 REPRESENTATIVE ANCHIA: -- virtually --
8 virtually nonexistent with respect to voter
9 impersonation.

10 MR. GRAHAM: Absolutely.

11 REPRESENTATIVE ANCHIA: So we're in
12 agreement there. But if -- You know, I'm always
13 thinking about creative ways to --

14 MR. GRAHAM: Right. If this had to take
15 place --

16 CHAIRMAN SMITH: Yeah. If it had to take
17 place and you put the onus on the state to produce the
18 required photo ID for people who do not have it already,
19 a sufficient layout period and cameras might be part of
20 that solution. I just want to gauge your thoughts on
21 that.

22 MR. GRAHAM: No. I think it's a very good
23 point.

24 REPRESENTATIVE ANCHIA: Okay.

25 MR. GRAHAM: I think it is a step in the



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1 right direction, but there shouldn't be a step to begin
2 with.

3 REPRESENTATIVE ANCHIA: Okay.

4 CHAIRMAN SMITH: Any other questions,
5 members? Mr. Graham, thank you for coming.

6 MR. GRAHAM: Thank you very much.

7 CHAIRMAN SMITH: Chair calls Randall
8 Terrell. Show him as not testifying --

9 UNIDENTIFIED SPEAKER: No, he's right
10 there.

11 CHAIRMAN SMITH: Oh, I'm sorry. There you
12 are. I saw somebody squirm in their seat. Be careful
13 about that when I call names.

14 UNIDENTIFIED SPEAKER: Okay. Thank you.

15 CHAIRMAN SMITH: Yes. Tell us your name
16 and who you represent.

17 MR. TERRELL: My name is Randall Terrell.
18 I am with the group called A Quality Texas. We are the
19 state-wide lesbian, gay, bi-sexual and transgender
20 advocacy organization. We are against 362. The primary
21 focus of my testimony is on what I believe to be the
22 difference between the current presentment standard for
23 the poll workers to evaluate ID versus the -- I think
24 you heard reference to the identity standard. I look at
25 it as sort of a objective versus subjective standard



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1 where someone comes up to the poll if they have the --
2 currently, if they have the right documents, they're
3 allowed to vote. There's no judgment call being made.

4 Under the current version of the bill, the
5 last one I saw, if they present some documents the poll
6 worker's required to make a judgment call. We consider
7 that to be pre-dangerous. Where I come from on the
8 issue and basically from the idea -- I think you heard
9 some of this testimony already today -- from the -- the
10 perspective of taking people -- taking care of people
11 who are transgender and those are folks who express
12 their gender identity as something other than the gender
13 that was assigned at their birth.

14 We started looking at 362 and looking at
15 what was happening with that. Now, 90 percent of the
16 people who are transgender never go -- undergo sexual
17 reassignment surgery. There is a requirement in -- an
18 opportunity in 362 that allows people who go through
19 sexual reassignment surgery to get their ID changed and
20 present their sex change ID or the -- the court order
21 for sex change as a -- quote, one of the qualifying
22 documents for -- to vote, and I think that's very
23 important and needs to stay in there. But since
24 90 percent of the people never get those documents, then
25 that's a real concern.



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1 And I started looking at it as well, and
2 then we get into the criteria, the laundry list, I think
3 you've heard already today, is how -- how hard it is to
4 find some difference between one ID and another ID, one
5 ID and your current appearance. Someone's always going
6 to be taller, shorter, fatter, slimmer, older, younger
7 and putting the discretion for making those judgment
8 calls in the hands of poll workers becomes non-just, and
9 with all due respect to poll workers, they do make
10 mistakes, but on top of that, there's also the idea
11 with -- as close as some elections have been in the last
12 few years, it only takes one poll worker making one
13 judgment call the wrong way in each precinct possibly to
14 change an election, and if there is some malfeasance
15 behind that, then that actually becomes a much bigger
16 problem than the fraud that we have alleged as the basis
17 for this bill.

18 I think you've heard everything else that
19 I might say. We do remain opposed to the bill on other
20 grounds, but that's the one that's particularly
21 motivational to us.

22 CHAIRMAN SMITH: I think we'll fix that
23 one. Any questions, members? Thank you for your
24 testimony.

25 MR. TERRELL: Thank you.



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1 CHAIRMAN SMITH: Kriss Crano? Is he here?
2 We're showing him as against, but not testifying. Lydia
3 Camarillo? Camarillo. Is that two L's maybe? She was
4 going to testify on behalf of -- Oh, you're here.

5 UNIDENTIFIED SPEAKER: She's here.

6 CHAIRMAN SMITH: Got you.

7 MS. CAMARILLO: It's my birthday.

8 CHAIRMAN SMITH: Happy birthday.

9 MS. CAMARILLO: Only it's a different day
10 now.

11 REPRESENTATIVE BROWN: Was it yesterday?

12 CHAIRMAN SMITH: Was it yesterday? That's
13 the same as Representative Alma Allen. Yeah. Hers was
14 yesterday.

15 UNIDENTIFIED SPEAKER: Alma was yesterday.

16 CHAIRMAN SMITH: Yeah. And so was hers, I
17 think.

18 UNIDENTIFIED SPEAKER: No. Lydia's is
19 today.

20 CHAIRMAN SMITH: Oh, yours is today. I'm
21 sorry. I was confused.

22 MS. CAMARILLO: Mine is the 8th.

23 CHAIRMAN SMITH: Okay. Is that what today
24 is?

25 MS. CAMARILLO: Yes, sir.



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1 CHAIRMAN SMITH: I'm completely lost.

2 MS. CAMARILLO: And my children promised
3 me breakfast in bed before they go to school, so I got
4 to get to San Antonio.

5 CHAIRMAN SMITH: Please state your name
6 and who you represent.

7 MS. CAMARILLO: Well, first of all, thank
8 you all. Mr. Chair, Mr. Vice-chair, I know he stepped
9 out, and members of the elections committee, I am Lydia
10 Camarillo, vice-president for Southwest Voter
11 Registration Education Project, the largest and oldest
12 nonprofit organization of its kind. We have registered
13 since we opened the doors in 1974, 2.4 million Latino
14 voters across the southwest, trained 100,000 voters and
15 leaders across the state, and, most recently, we also
16 organized the lawsuit, Gonzalez versus State of Arizona.
17 MALDEF, which was our attorney, challenged in Federal
18 court the issue of voter registration. So we are one of
19 the plaintiffs in the Arizona case as well as in the
20 Florida case.

21 So I'm letting you know that we are here
22 to oppose Senate Bill 362, and we'll -- I'm not going to
23 stay around for HB125 and HB3556. I'm also here to tell
24 you that I'm clearly in opposition of it. I know I
25 stated it wrong, but I mean, you have the copy. It's



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1 supposed to be HB3556. We firmly believe that these
2 bills have disenfranchised hundreds and thousands of
3 Texas voters.

4 CHAIRMAN SMITH: I don't know if I just
5 misheard what you said, but just try to limit your
6 testimony to 362. I don't know if you said -- You said
7 something about another bill, I think.

8 MS. CAMARILLO: That we think -- we think,
9 and I think that the other two bills are similar, so --
10 but I'll stick to --

11 CHAIRMAN SMITH: Please try to limit the
12 testimony to this bill.

13 MS. CAMARILLO: I'll stick to the SB362.

14 CHAIRMAN SMITH: Thank you.

15 MS. CAMARILLO: We are in opposition
16 because it will harm hundreds and thousands of voters.
17 We believe that it will -- that it will hurt an
18 estimated 1.7 to 2 million Texas voters, all voters that
19 are citizens and individuals who have the right to vote
20 and should be counted.

21 You know, it's a shame that in America we
22 cannot have every vote counted. It's a shame that in
23 America every vote doesn't count and then when a voter
24 wants to vote and he or she is an American citizen, they
25 are at risk of not being counted.



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1 I'm here to tell you that the Voter ID
2 does nothing, but already contradicts the HAVA case --
3 the HAVA law, rather, and it also has -- it's a problem
4 because HAVA already says that you can use other
5 requirements, so you're basically going to be repeating
6 something that already does. Also, the Voter ID that
7 you're proposing is supposed to stop voter fraud, and as
8 we know, that's not the case. The Attorney General has
9 spent over the last two years, as you know, \$1.4 million
10 trying to prove a case that doesn't exist, and,
11 therefore, it would do everything but ensure that voter
12 fraud is stopped. In fact, all it would do is
13 disenfranchise Latino voters, African-American voters,
14 white voters that are poor and senior citizens.

15 There's at least three issues -- I'm not
16 going to -- Election Code 623.0101 already says that in
17 Texas, you can use a wide range of identification
18 documents in order to vote.

19 Last but not least, I just basically want
20 to share with you that voting for this bill would hurt
21 Texas, and it makes no sense that in Texas when we
22 are -- have one of the highest number of young voters
23 that are not finishing high school, that we're spending
24 time with a bill that doesn't make any sense that will
25 only hurt voters -- American voters. Thank you.



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1 CHAIRMAN SMITH: Questions, members, for
2 this witness? Thank you very much.

3 VICE-CHAIRMAN PENA: Let me just --

4 MS. CAMARILLO: Vice-chairman Pena?

5 REPRESENTATIVE PENA: Lydia, Southwest
6 Voters is a national nonpartisan organization; is that
7 correct?

8 MS. CAMARILLO: That is correct. We don't
9 tell voters how to vote or what party to vote for. We
10 only ask them to participate in America's democracy.

11 REPRESENTATIVE PENA: And you've done --
12 as the name implies, you've done work all over
13 California, New Mexico, Arizona.

14 MS. CAMARILLO: By law we're supposed to
15 work every year in at least five states, and so we work
16 always in Texas and California for sure, clearly in
17 Florida, and we always select a couple of other states,
18 but over the years, we focus on about eight states.

19 REPRESENTATIVE PENA: Okay. And it's your
20 opinion that this will have a negative impact on -- on
21 Texas, but in particular the Hispanic community? Is
22 that my understanding?

23 MS. CAMARILLO: We think -- We not only
24 think, we know that it will disenfranchise Latino voters
25 and African-American voters and in Florida we have sued



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1 along with NAACP a similar issue, the Voter ID issue in
2 Florida. We also sued in Arizona on a similar case, and
3 we expect to sue Texas if it passes and you sign it into
4 law. That is correct.

5 REPRESENTATIVE PENA: I want to thank you
6 for the work you've done over the years and thank you
7 for your testimony.

8 MS. CAMARILLO: Thank you.

9 CHAIRMAN SMITH: Representative Anchia?

10 REPRESENTATIVE ANCHIA: Lydia, happy
11 birthday.

12 MS. CAMARILLO: Thank you.

13 REPRESENTATIVE ANCHIA: Thanks for the
14 work you do. Are there things that we can be doing in
15 our voter registration laws that would make it easier
16 for people to register to vote and possibly increase
17 participation in the program?

18 MS. CAMARILLO: Well, it seems to me that
19 when we began to hear the conversations about what Voter
20 ID was necessary, it was because people felt that
21 American citizens were not necessarily the only ones
22 voting, and it's clear that there is already in the
23 election code a requirement that you must be a citizen,
24 and when you sign the affidavit, it's an affidavit.
25 Individuals who are not citizens clearly understand that



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1 it's a perjury to sign it and, therefore, they don't.

2 Plus, if you're talking about folks that
3 are not documented, they are not going to want to come
4 from underground and be put forth and risk the thing
5 about being deported, so that's one thing. The -- The
6 Baker Carter Commission suggested a couple of things.
7 One is that we move the election date to same day
8 election or 15 days prior so that people can vote
9 because what happens is, folks like my mother who are
10 busy surviving, sustaining their children, their
11 families, they're not thinking about voting. They're
12 not thinking about registration until you start hearing
13 the commercials and that usually happens anywhere from
14 two weeks to a month, and if you don't have the time,
15 you realize, oh, it passed. So if you -- If I have more
16 time for registration, then you can ensure that people
17 can vote.

18 The other thing that it also says is that
19 you shouldn't have anyone being deputized in order to be
20 volunteers. In fact, there is a case in Hidalgo
21 where -- where the person had to leave because that
22 person was charged with something, the elections
23 official, and there were something like 90 days for
24 individuals who are required to be deputized in order to
25 register to vote. There was no deputization at that



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1 process. So I would say that states like California do
2 not have that.

3 I would also suggest that if you're really
4 serious about making sure that everybody votes, that we
5 have what California has, which is if you think you are
6 going to be sick, if you think you are going to be out
7 of state, you can have absentee ballots, and you can
8 vote by mail. That guarantees that more people will
9 stick with America's democracy.

10 REPRESENTATIVE ANCHIA: Does California
11 have no fault vote by mail -- I mean, no excuse vote by
12 mail?

13 MS. CAMARILLO: That is correct. My
14 mother is now a perpetual absentee ballot voter, and
15 she -- basically when the ballot comes home, she has
16 everybody come over. They have dinner. They discuss
17 the elections. California also has issues to memorandum
18 so they go through all that process. The family votes
19 because everybody brings their ballot. They send it
20 forward. Yeah. A hundred percent participation.

21 REPRESENTATIVE ANCHIA: Thank you for your
22 testimony.

23 MS. CAMARILLO: Thank you.

24 CHAIRMAN SMITH: Any other questions,
25 members? Thank you very much.



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1 MS. CAMARILLO: Thank you. Have a good
2 day.

3 CHAIRMAN SMITH: You too. At this time
4 the chair calls Kenneth Flippin, a community organizer.
5 I heard another one of those. You are going to testify
6 against Senate Bill 362?

7 MR. FLIPPIN: That's correct.

8 CHAIRMAN SMITH: Please state your name
9 and who you represent.

10 MR. FLIPPIN: Sure. My name is Kenneth
11 Flippin, and I am representing myself. I just want to
12 make hopefully what's a little bit different argument
13 because I know you've all heard a lot of things, and I
14 appreciate you all staying up late and listening to the
15 public.

16 As a community organizer, first thing I'd
17 say it is very hard in this state that has one of the
18 lowest registration rates, turnout rates, it's very hard
19 to get people to register to vote. It takes a lot of
20 work. Those efforts that are done by community groups,
21 non-profits, done by campaigns, I can tell you they're
22 not targeting noncitizens because, number one, it would
23 be just dumb thing to do, and, number two, it takes so
24 much effort to get people that can legally vote to just
25 -- it would be an effort that would be pointless, and it



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1 just doesn't happen, and that's why you don't see very
2 much of the fraud that you're talking about.

3 The other thing that I would say from my
4 community organizing experience is that people will be
5 disenfranchised by this, and it's not because it's just
6 tons and tons of people that don't have the documents.
7 It's literally the -- you know, 70-year old woman who
8 goes with her son to the voting poll after he gets off
9 work and she didn't know that she needed this extra
10 documentation, and by the time she gets in there, they
11 realize it, and she's got to go all the way back home
12 and then get all the way -- she's not going to do it,
13 and she's not going to be able to vote, and it's just
14 that reality and that happens a lot in -- I can tell you
15 it happens a lot because we've taken a lot of people to
16 the polls, and they tend to go later in the day if you
17 look at the turnout projections. That's just the way
18 that it kind of works.

19 The other thing I'd say is that if you
20 really had a big voter fraud problem, you would see it.
21 There's a big red flag. It's -- When people vote, they
22 mark voted, and if somebody stole any of your IDs or
23 anybody else's IDs, it would come up eventually that
24 somebody would say, hey, wait a second, I just went and
25 voted, and they told me -- tried to vote and they told



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1 me somebody else voted or it would be the other way
2 around and the person would come in after the legal
3 voter, and they would go wait a second, you already
4 voted, and yet do we see these cases? The few cases of
5 voter impersonation that you all are hearing about are
6 almost always cases of somebody saying, well, we heard
7 this, we saw this and they are very rare.

8 Eight million Texans voted in this last
9 election. Do you think we'd have at least 80 or a
10 hundred cases? The one case that we did have was
11 actually somebody who didn't vote in two different
12 places, even though she was prosecuted. A 56-year old
13 woman -- white woman from Amarillo, she was prosecuted
14 and told she was having her voting rights taken away,
15 all this kind of stuff, and then they realized it was
16 clerical error. There's going to be more clerical
17 errors or mistakes or folks that just say, well, you
18 don't look like your ID. There's going to be more of
19 those problems than there's going to be people who are
20 literally taken out of the system that shouldn't be
21 there because of this voter ID.

22 CHAIRMAN SMITH: Any questions, members?
23 Thank you very much.

24 MR. FLIPPIN: Thank you all. Appreciate
25 it.



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1 CHAIRMAN SMITH: Anybody else here to
2 testify for or against Senate Bill 362? Seeing none --
3 Yes, ma'am?

4 UNIDENTIFIED SPEAKER: Are you going to
5 hear testimony tonight on Representative Hopson's bill
6 and Dunnam's bill?

7 CHAIRMAN SMITH: We already -- Yes, we
8 are. Yes, we are. Anybody else here wish to testify on
9 or against Senate Bill 362? Hearing none, seeing none,
10 I close at this point. The chair moves that Senate Bill
11 362 be left pending subject to the call of the chair.
12 Is there any objection? Hearing none, so moved. All
13 right.

14 At this time the chair lays out House Bill
15 125 and recognizes representative -- I'm going to lay
16 out House Bill 125, our Representative Betty Brown. I'm
17 going to lay out House Bill 2335, Representative Heflin,
18 and lay out House Bill 2513 by Representative Hopson,
19 lay out House Bill 3556 by Representative Bonnen, lay
20 out House Bill 4418 as pending business by Chairman
21 Dunnam, and lay out House Bill 4421 as pending business
22 by Chairman Dunnam. At this time the chair recognizes
23 Chairman Bonnen to lay out --

24 REPRESENTATIVE BONNEN: House Bill 3556.

25 CHAIRMAN SMITH: -- House Bill 3556.



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1 Thank you.

2 REPRESENTATIVE BONNEN: Thank you. This
3 is a Voter ID bill.

4 CHAIRMAN SMITH: Okay.

5 REPRESENTATIVE BONNEN: I reserve the
6 right to close.

7 CHAIRMAN SMITH: Questions? Recognize
8 Representative Brown to explain House Bill 125.

9 REPRESENTATIVE BROWN: Well, I'll try to
10 be brief, but maybe not.

11 CHAIRMAN SMITH: My understanding is you
12 have a substitute?

13 REPRESENTATIVE BROWN: I do.

14 CHAIRMAN SMITH: Recognize at this time
15 Representative Bonnen to lay out to the committee
16 Substitute House Bill 125.

17 REPRESENTATIVE BROWN: And this is also a
18 Voter ID bill, and I'll just give you a couple of
19 differences in the chairman's bill. I seem to find that
20 some of the language in the SB362 might cause some
21 confusion among co-workers and, also, among those who
22 are voting, so trying to make it as simple as possible,
23 and, therefore, we don't have two lists in it. There is
24 simply the one list, and I -- it's my intention to have
25 an amendment added then on the floor because I would



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1 like to handle it the way the Florida bill is handled
2 whereby every vote is counted. Every vote is cast with
3 the potential to be counted. Then when it is reviewed
4 by a panel and have a similar envelope like they showed
5 us the other day -- yesterday. It seems like a week
6 ago. And so I feel like after listening to all of this
7 talk and trying to get it all straight in my mind, that
8 that would be the simplest way to handle it.

9 Therefore, it would -- the ones would be
10 weeded out that were actually not qualified to vote and
11 every -- and other than that, every vote was accounted.
12 I've sat here now and I've lost my place. We can
13 discuss those things that are -- that can be counted for
14 to qualify as a voter or we can go ahead and hear
15 testimony if the chairman chooses.

16 CHAIRMAN SMITH: Okay. Thank you,
17 Representative Brown. At this time the chair recognizes
18 Representative Anchia to explain House Bill 2335 by
19 Representative Heflin.

20 REPRESENTATIVE ANCHIA: Mr. Chairman and
21 members, I appreciate the opportunity to lay out
22 Representative Heflin's bill, House Bill 2335, which is
23 a free Voter ID bill and ensures that Texas does not
24 return to the days of poll taxes. Most of you know in
25 1966, Harper V. Virginia State Board of Elections



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1 declared poll taxes as unconstitutional by violations of
2 the Equal Protection Clause of the 14th Amendment.
3 Voting Rights Act of 1965 prohibits a poll tax in state
4 elections. Some voters will have to pay a fee to obtain
5 the proper ID to vote bearing in mind that they do not
6 possess the proper documentation to present as proof of
7 identification.

8 We all know that it takes ID to get ID in
9 this state, and the underlying ID is not free. This
10 bill reaffirms the voter's protection from poll taxes by
11 prohibiting a state or local government from charging a
12 fee for document that voters have to present as proof of
13 ID to be eligible to vote. So, in essence, any of the
14 IDs on the list would have to be free.

15 HB2335 has a modest negative fiscal impact
16 over a five-year period of \$562,295,909. This number
17 includes all funds, and Representative Heflin asked me
18 to contrast that since the language of House Bill 2335
19 is not substantially different from the language used in
20 the bill that we heard earlier, which had a zero fiscal
21 note when it left the senate. He asked me to contrast
22 the zero fiscal note with the \$562 million fiscal note,
23 and he plans on bringing back a committee substitute
24 that tries to bring them more in line with each other.

25 So thank you for allowing me to present



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1 Representative Heflin's free Voter ID bill, and I
2 reserve the right to close.

3 CHAIRMAN SMITH: Thank you. Any
4 questions, members, any -- of these people who have laid
5 out any of these legislations before we go to witnesses?
6 Don't see any. So we're going to proceed to witnesses.
7 We have at this time one, two, three, four, five, six
8 bills that have been laid out in front of the committee.

9 And I call John Yeaman. Not here. Did
10 not testify and wishes to be shown against House Bill
11 125. Okay.

12 Steve Whichard? Vickie Karp? John
13 Courage? Charles Snyder? Ramey Ko? I remember him.
14 Doug Bell? Joseph Money? Anita Privett? Crystal
15 Molina?

16 REPRESENTATIVE BROWN: Are all these
17 against?

18 CHAIRMAN SMITH: They are in a variety.
19 Elaine Adkison? All right. Now, we got two sheets.
20 I'd like to recognize you, first of all, if I could to
21 testify against House Bill 125.

22 MS. ADKISON: Yes, sir.

23 CHAIRMAN SMITH: Your name and who you
24 represent.

25 MS. ADKISON: Elaine Adkison, and what's



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1 left of me.

2 CHAIRMAN SMITH: Okay.

3 MS. ADKISON: And I think the other one
4 you might discard.

5 CHAIRMAN SMITH: Okay. All right. You
6 don't wish to testify on that other one?

7 MS. ADKISON: No, sir.

8 CHAIRMAN SMITH: We can just show you as
9 for House Bill 2235 -- 2335; is that right?

10 MS. ADKISON: Yes, sir.

11 CHAIRMAN SMITH: Okay. Thank you. Please
12 continue.

13 MS. ADKISON: Okay. I just wanted to
14 suggest that this plan is not without its own potential
15 for corruption. We can't keep teenagers from getting
16 into clubs with fake IDs on the weekends. How are you
17 going to guarantee that the voting process doesn't
18 suffer the same abuse? If your neighbor's going to
19 steal your voter registration card from your mailbox,
20 he's not going to have any trouble going to find a fake
21 ID -- photo ID.

22 I'd like to make a couple other points.
23 My county clerk in my county is fastidious about purging
24 deceased voters off of there. I don't understand why
25 other counties aren't doing the same thing and why there



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1 would even be a problem with dead people voting. Let's
2 see.

3 And I just wanted to point out that the
4 White-Out that was used on that early voting ballot was
5 used by the ballot board and it favored the Republican
6 candidate.

7 Now, I just wanted to ask, how many of you
8 have spent any time at all in east Texas?

9 UNIDENTIFIED SPEAKER: I've spent a lot of
10 time there.

11 MS. ADKISON: Okay. And I don't say this
12 to --

13 REPRESENTATIVE BROWN: I missed the
14 question.

15 CHAIRMAN SMITH: You spent some time --

16 MS. ADKISON: Yes, ma'am. She does. I
17 don't say this to disparage my neighbors, but before you
18 do a lot of stuff on this bill, I highly suggest that
19 some of you come spend some time in my rural counties.
20 The computer issue is going to be a problem. Somebody
21 said pulling up their pictures on computers.

22 REPRESENTATIVE BROWN: That's not in this
23 bill.

24 MS. ADKISON: I know. I'm just saying --

25 REPRESENTATIVE BROWN: It's just something



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1 sounds --

2 MS. ADKISON: And it would be for most of
3 us, but some of my old people that work in my polling
4 locations, it will be a nightmare. What else?

5 Okay. And there's been some referral to
6 personal responsibility. It would be nice if we were
7 all physically able to get up, go to the polling
8 location, go to the county clerk's office, get our
9 stuff. That's not always going to be the case.

10 REPRESENTATIVE BROWN: And those people
11 who can't, of course, are using mail-in ballots?

12 MS. ADKISON: Yes, ma'am. And I'm fixing
13 to address that. Ballot by mail is an important GOTV
14 tool all across Texas, but especially in east Texas.
15 Most of your districts are urban, but Representative
16 Heflin, Hopson and myself, we work in large -- in large
17 geographical -- Yes, ma'am, but you have what, two
18 counties? Yeah. He's got like a whole list. And then
19 usually mine are four to five counties. So we have a
20 large geographical area to cover.

21 For some of the old people that are in the
22 nursing homes that can't get out, it really causes
23 logistical problems, so I understand if that has to --

24 REPRESENTATIVE BROWN: I'm sorry. I
25 missed what you were talking about here. What's causing



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1 the nursing home people --

2 MS. ADKISON: Well, there's just been so
3 much disparage of the ballot by mail. It does have good
4 uses. I have advocates in counties --

5 REPRESENTATIVE BROWN: We don't address
6 the --

7 MS. ADKISON: Yes, ma'am, I know, but it's
8 been addressed. It's been talked about, so I just
9 wanted to say something positive about it. I've got a
10 lot of advocates that have purely -- pure -- I've lost
11 my train of thought. In fact, it's just generated by
12 local advocates whose primarily goal is to enable those
13 voters who can't get out to participate in the political
14 process. I would just say that this bill is indicative
15 of an abridgment, and I would urge you to please not let
16 allow more attitude in political dog trump compelling
17 state interest. We all want fairly legal elections, but
18 this bill just puts a prom dress on an elephant. I'm
19 going home to Nacogdoches. I thank you for your time,
20 your courtesy and your service.

21 CHAIRMAN SMITH: Any questions, members?
22 Thank you very much.

23 MS. ADKISON: You all have a good night.

24 CHAIRMAN SMITH: All right. Mary Ann
25 Collins? Neutral on House Bill 125.



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1 MS. COLLINS: I'm Mary Ann Collins. I
2 have --

3 CHAIRMAN SMITH: You are representing
4 yourself?

5 MS. COLLINS: I'm representing myself. I
6 have been an election judge for 20 years and a poll
7 watcher off and on over many years. I was poll watching
8 in '06 at the Oak Cliff Subcourthouse in Dallas and a
9 lady came in to vote with purple hair and, man, that
10 does get your attention when you're standing there and
11 here's this purple hair. Later on that afternoon, I
12 look up and here is what I think is the purple hair
13 again, and I thought that couldn't be. She passed the
14 qualifying table. Then it dawned on me later, you
15 moron, she voted on somebody else's certificate. I did
16 call the DA's office and, of course, I knew there was
17 nothing they could do, but I just wanted to alert him
18 that I thought this situation was going on. And, of
19 course, there was nothing because we didn't have any
20 names, et cetera.

21 Several days later after early voting was
22 over, one of the clerks at that early voting location
23 called me about something completely unrelated, and I
24 said to her I think there was a lady there who voted
25 twice. She said, oh, I know exactly who you're talking



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1 about. She said -- I asked her if she hadn't been here
2 before, and she said no. I want to tell you that people
3 can take other people's voting certificates and make at
4 least four or five early voting locations in one day in
5 Dallas County. The problem with voter photo ID is not
6 on election day. It is in early voting, especially in a
7 big county like Dallas, Texas where there are -- in the
8 last election we had 28 early voting locations.

9 So I just -- I also want to mention that I
10 was a poll watcher on the ballot board in Dallas County
11 this last time. The ballot board was chaired by a
12 Democrat. Before I could serve on that ballot board as
13 a poll watcher, I had to present not only my voter
14 registration certificate, but a picture ID.

15 So I just want to address a couple of
16 things in Betty Brown's bill that I'm a little bit
17 concerned about. That's why I vote -- said neutral. In
18 the first part she says that the Secretary of State
19 sends out these notices to people who had not voted
20 before, et cetera. To me that sounds like a logistical
21 nightmare. The other thing -- Let's see. I've got a
22 couple of other things. She says they could sign an
23 affidavit at the main early voting location. We do not
24 have a main early voting location in Dallas County, and
25 so that's an issue that I have with that.



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1 Then in another place it says they may
2 present -- I have to look here and see what this says.
3 It says they may present their identification -- your
4 two different documents. I think it should say shall
5 instead of may because if it says may, they don't have
6 to. If they say shall, they have to.

7 REPRESENTATIVE BROWN: Did you say two
8 different documents?

9 MS. COLLINS: It's on Section --

10 REPRESENTATIVE BROWN: Do you have the
11 committee substitute?

12 MS. COLLINS: I don't have a substitute.
13 What I have is Section 63.0103, Section B. It says, A
14 person to whom this section applies may present as
15 identification either two different documents.

16 REPRESENTATIVE BROWN: Committee
17 substitute only -- has one list and you present one.

18 MS. COLLINS: Okay. I have another.

19 REPRESENTATIVE BROWN: Okay.

20 MS. COLLINS: Things about the provisional
21 ballots. If you'll ask me the question, I'm over my
22 time.

23 REPRESENTATIVE BROWN: What is it about
24 the provisional ballots?

25 MS. COLLINS: What I want to say about the



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1 provisional ballots is there are already several things
2 that the -- either the election judge checks, and there
3 are a number of things that would say if they didn't
4 have the proper identification, if they didn't -- if
5 they were in the wrong precinct, if they live -- did not
6 live in Dallas County, so it's not only ID.

7 I think you said in the substitute that
8 all these ballots should count if -- I forgotten exactly
9 what you said -- if they could prove their identity.
10 Well, there are other issues with why a provisional
11 ballot may not be accepted. Also, if they're not
12 registered, they cannot be accepted, so there are other
13 issues about provisional ballots, and I want to make
14 that perfectly clear that just because they have photo
15 ID doesn't mean that should be counted.

16 REPRESENTATIVE BROWN: Oh, I agree. I
17 agree. And my plan at this point is to have an
18 amendment on the floor if my bill were to pass through
19 that way to amended -- to be handled like the Florida
20 bill, like Florida handles theirs --

21 MS. COLLINS: Well, I don't know how
22 Florida handles theirs.

23 REPRESENTATIVE BROWN: -- whereby the
24 provisional ballot would be voted and then there's a
25 panel that analyzes it and just decides if that is



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1 indeed a qualified vote, if there's anything wrong with
2 accepting the ballot.

3 MS. COLLINS: Okay.

4 CHAIRMAN SMITH: Before you ask anything,
5 I want to put on my Rafael Anchia hat here and ask you a
6 question. What makes you think this lady committed
7 voter impersonation other than the fact that she had
8 purple hair and you saw her twice?

9 MS. COLLINS: Well, I mean she voted
10 twice.

11 CHAIRMAN SMITH: How do you know that?

12 MS. COLLINS: I saw her. I saw her vote
13 twice.

14 CHAIRMAN SMITH: You saw her --

15 MS. COLLINS: Vote twice.

16 CHAIRMAN SMITH: -- filling out a form and
17 put it in the --

18 MS. COLLINS: She went to the voting
19 booth.

20 CHAIRMAN SMITH: Twice.

21 MS. COLLINS: Why would I say that if she
22 hadn't been to the voting booth? She went to a voting
23 booth two different times in the same day.

24 CHAIRMAN SMITH: And how much time
25 separation was there between --



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1 MS. COLLINS: One was in the morning and
2 one was in the afternoon.

3 CHAIRMAN SMITH: There's no doubt in your
4 mind that was the same person.

5 MS. COLLINS: I feel pretty certain, and
6 the fact that the clerk said to me -- I said I think
7 there was a lady who voted twice. She said I know
8 exactly who you're talking about, and she even
9 questioned her about the fact that she had been there
10 before.

11 CHAIRMAN SMITH: You're admitting that
12 there is a possibility that there were two people with
13 purple hair?

14 MS. COLLINS: There is a remote
15 possibility, but I feel pretty certain, and I also --
16 besides the fact of this lady, people can take other
17 people's -- they can pass out -- and I know this is -- I
18 have not seen it, but I've heard it from other reliable
19 poll workers, that they just take voter registration
20 cards and pass them out.

21 Now, one other thing I would like to
22 mention. They could stop this if they look at
23 signatures. Early voting workers are so busy at most of
24 these locations they they're not even really looking at
25 the pictures too much right now. They -- They don't



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1 even have time to look at these signatures. The way
2 they do is now is they pass the card up and that's it,
3 but I think signatures should be checked.

4 CHAIRMAN SMITH: Questions?

5 REPRESENTATIVE ANCHIA: Yeah. Just a
6 couple quick questions.

7 MS. COLLINS: Go right ahead.

8 REPRESENTATIVE ANCHIA: Thank you. The
9 first thing is I admire your staying power being here.
10 It's quite late.

11 MS. COLLINS: This is nothing compared to
12 when I stayed at the senate for 26 hours.

13 REPRESENTATIVE ANCHIA: You poor thing
14 because that really -- I couldn't even stay up for that
15 and that was rough. You said earlier that someone in
16 Dallas County could make copies of a voter registration
17 certificate.

18 MS. COLLINS: I never said that.

19 REPRESENTATIVE ANCHIA: I believe you did.

20 MS. COLLINS: I did not say they made
21 copies of voter registrations, no, sir.

22 CHAIRMAN SMITH: I don't think you are
23 going to get away with much with this witness, Rafael.

24 REPRESENTATIVE ANCHIA: Let me tell you
25 what I heard and --



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1 MS. COLLINS: It wasn't out of my mouth.
2 It was not out of my mouth.

3 REPRESENTATIVE ANCHIA: Let me tell you
4 what I heard out of your mouth --

5 MS. COLLINS: Then better check your ears.

6 REPRESENTATIVE ANCHIA: -- and then -- and
7 then we can figure out if you said or not -- if you
8 didn't mean to say it. So you said that somebody can
9 make multiple copies --

10 MS. COLLINS: I never said that.

11 REPRESENTATIVE ANCHIA: May I finish? May
12 I finish and will you answer my question?

13 MS. COLLINS: Okay.

14 REPRESENTATIVE ANCHIA: I don't want to
15 get -- I mean, it's late.

16 UNIDENTIFIED SPEAKER: She said that they
17 can pass them out.

18 REPRESENTATIVE ANCHIA: It's late. No,
19 she said early on that.

20 CHAIRMAN SMITH: Please be nice to Rafael.

21 MS. COLLINS: I'm not planning not to be
22 nice to him, so that's okay.

23 CHAIRMAN SMITH: All right.

24 UNIDENTIFIED SPEAKER: I think she is
25 being nice.



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JA_007166

TX_00034308

1 REPRESENTATIVE ANCHIA: In Dallas County
2 you said that during the early -- there's risk that
3 during the early voting period that someone could make
4 copies of the voter registration certificate and go to
5 multiple locations --

6 MS. COLLINS: No.

7 REPRESENTATIVE ANCHIA: -- and vote. Is
8 that --

9 MS. COLLINS: You completely misunderstood
10 what I said.

11 REPRESENTATIVE ANCHIA: Okay.

12 MS. COLLINS: What I said was people can
13 take other people's voters' certificates. They could
14 gather them up at a church. They could gather them up
15 at a homeless shelter and pass them out. They did -- I
16 never said they made copies. They take the card itself
17 is my understanding and pass them out and that anybody
18 can go use those to vote. Now, let me --

19 REPRESENTATIVE ANCHIA: Have you seen that
20 occur ever?

21 MS. COLLINS: I did not say I did. I
22 said --

23 REPRESENTATIVE ANCHIA: I'm asking you a
24 question.

25 MS. COLLINS: Let me just mention one



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1 other --

2 REPRESENTATIVE ANCHIA: I'm simply asking
3 you the question.

4 MS. COLLINS: All right. Let me just
5 finish here. In my own precinct, people arrive on
6 election day who have not signed their voter
7 registration cards, and we always say would you please
8 sign your card, so it is not an uncommon practice that
9 voter registration cards are not signed. So it would
10 not be an unusual practice for voter registration cards
11 to have been sent to somebody's house, homeless shelter,
12 whatever, and they're not signed. Anybody could sign
13 those, take them and go vote, and this is what is
14 possible to happen on people who care to do that sort of
15 thing. A photo ID would eliminate that, and the point
16 of all --

17 REPRESENTATIVE ANCHIA: Is it possible to
18 falsify a photo ID?

19 MS. COLLINS: Well, I'm going to say this.
20 All I know --

21 REPRESENTATIVE ANCHIA: Is it possible to
22 falsify a photo ID?

23 MS. COLLINS: I don't know. What I do
24 know is --

25 REPRESENTATIVE ANCHIA: Have you ever



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1 heard of people falsifying a photo ID?

2 MS. COLLINS: Not a photo.

3 REPRESENTATIVE ANCHIA: You've never heard
4 of someone having a fake driver's license?

5 MS. COLLINS: Heard of fake driver's
6 license, but that is not the -- the fake --

7 REPRESENTATIVE ANCHIA: That's a photo ID,
8 correct?

9 MS. COLLINS: The fake is not the -- The
10 photo is not the fake part. It's the other information
11 that's the fake part, so let me -- let me -- let me
12 finish.

13 REPRESENTATIVE ANCHIA: So someone could
14 -- So someone could --

15 MS. COLLINS: Wait. Let me finish,
16 please.

17 REPRESENTATIVE ANCHIA: So someone
18 could --

19 MS. COLLINS: And you make me lose my
20 train of thought.

21 REPRESENTATIVE ANCHIA: I'm sorry.

22 MS. COLLINS: All right. The point of
23 photo ID is so that when this person shows up to vote,
24 they look at that picture and they say, yes, this is
25 this person. I don't care if it is a fake ID. It has a



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1 photo on it, and that is the point of all this. You're
2 looking at that person and saying, yes, this is this
3 person or, no, it's not that person. Now, we are -- in
4 our precinct we are what I would say reasonable. If
5 somebody came with a picture ID that, you know, I could
6 tell they were 30 years younger, we're going to probably
7 accept it, but if it's completely out of the question, I
8 mean, like it's a 10 -- you know, somebody that's 16 and
9 the person's 70, I would take question of that. You
10 have to have your picture redone when you go to renew
11 your driver's license after a certain age. So, you
12 know, that is a far-fetched thing.

13 REPRESENTATIVE ANCHIA: What is
14 far-fetched? Can you --

15 MS. COLLINS: That you are going to have
16 somebody whose picture was taken when they were 20 and
17 here they are voting on a -- say a driver's license when
18 they're 70 that doesn't have a new picture. It is going
19 to have a new picture because you have to get one
20 because I've done it.

21 REPRESENTATIVE ANCHIA: She made me lose
22 my train of thought.

23 CHAIRMAN SMITH: We're all going to give
24 you a long leash and let you all have as much time as
25 you need.



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1 MS. COLLINS: Go right ahead.

2 REPRESENTATIVE ANCHIA: Just a couple
3 simple questions. Do you have -- Have you seen somebody
4 engage in voter impersonation?

5 MS. COLLINS: Other than the lady with
6 purple hair, no.

7 REPRESENTATIVE ANCHIA: And did you see
8 that the lady -- did you see the lady execute two
9 ballots?

10 MS. COLLINS: I saw her walk into two --
11 to a voting booth, one in the morning and one in the
12 afternoon.

13 REPRESENTATIVE ANCHIA: And you saw her
14 cast two ballots?

15 MS. COLLINS: Well, I didn't stand there
16 and watch her punch the thing, but I saw her go to the
17 voting booth.

18 REPRESENTATIVE ANCHIA: Did -- And you're
19 absolutely positively sure it was the same person.

20 MS. COLLINS: I didn't say I was
21 absolutely positive. I said I was pretty certain of the
22 fact that the election clerk corroborated it several
23 days later, made me feel pretty certain about it.

24 REPRESENTATIVE ANCHIA: And you were a
25 poll watcher at the time.



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1 MS. COLLINS: Yes, I was.

2 REPRESENTATIVE ANCHIA: Did you go
3 immediately to the election judge at the time?

4 MS. COLLINS: I told you that I didn't
5 figure it out until later on that I thought -- at first
6 I thought, hey, there's that lady, but I thought it
7 can't be because she's passed the qualifying table.
8 Later on that afternoon it dawned on me what a dummy I
9 was because that lady was voting on somebody else's
10 certificate.

11 REPRESENTATIVE ANCHIA: And did you see
12 that lady have two different certificates?

13 MS. COLLINS: No. That's what I
14 assumed -- Since she voted twice -- was going to the
15 voting booth two different times, I assumed she was
16 voting on somebody else's certificate.

17 REPRESENTATIVE ANCHIA: Okay. Thank you.
18 I appreciate those assumptions. Thank you.

19 CHAIRMAN SMITH: Representative Bonnen?

20 REPRESENTATIVE BONNEN: Miss, who is your
21 state representative?

22 MS. COLLINS: Will Hartnett.

23 REPRESENTATIVE BONNEN: I like Will a lot.
24 But if I gave you a little money and got the signatures,
25 would you run for state representative so you could



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1 carry --

2 MS. COLLINS: Ain't no way. I have more
3 fun doing this.

4 REPRESENTATIVE BONNEN: We'll save you the
5 desk next to Representative Anchia.

6 MS. COLLINS: Oh, Lord. I have more fun
7 making Democrats squirm.

8 REPRESENTATIVE BONNEN: I don't think that
9 could be argued here tonight. Thank you for your vigor.

10 MS. COLLINS: All right. You'll see me
11 again in a minute.

12 CHAIRMAN SMITH: I don't know that we're
13 done yet. You got any questions, Representative Pena?

14 REPRESENTATIVE PENA: Yeah. You didn't
15 talk about my bill.

16 MS. COLLINS: I'm going to.

17 UNIDENTIFIED SPEAKER: I'm going to tell
18 you, this is so entertaining. I just want to extend
19 your time, so you get --

20 MS. COLLINS: Well, the people I'm staying
21 with are -- I'm having a little problem keeping them up.

22 UNIDENTIFIED SPEAKER: Okay. I don't want
23 to sound inappropriate, but I have an extra bedroom --

24 UNIDENTIFIED SPEAKER: You're from Dallas;
25 is that right?



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1 MS. COLLINS: Yes, sir.

2 UNIDENTIFIED SPEAKER: So you know
3 representative Anchia over there?

4 MS. COLLINS: I know of Representative
5 Anchia.

6 UNIDENTIFIED SPEAKER: You know of him?

7 MS. COLLINS: Yes, I do.

8 UNIDENTIFIED SPEAKER: Tell us what you
9 think about him.

10 MS. COLLINS: That's not germane to this
11 bill.

12 UNIDENTIFIED SPEAKER: That's good.

13 CHAIRMAN SMITH: Representative Pena,
14 you've not been watching for -- for long. You will not
15 -- No. Any other questions or offers for habitation for
16 this witness? Thank you, Ms. Collins.

17 MS. COLLINS: Thank you.

18 CHAIRMAN SMITH: Marie Bowman? Well, I
19 don't think anybody's going to be willing to testify at
20 this point. Tough act to follow. Dustin Rynders? You
21 got three witness forms.

22 MR. RYNDERS: I'm just going to do them
23 quickly in or out separately.

24 CHAIRMAN SMITH: Let's start with Betty
25 Brown's bill, House Bill 125, testifying against -- on



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1 behalf of. I'll let you tell who you are.

2 MR. RYNDERS: Dustin Rynders, Advocacy,
3 Incorporated, and the Disability Policy Consortium. The
4 reason I wanted to testify separately about this bill is
5 we oppose the bill for all the reasons that I stated in
6 my earlier testimony, but I did want to state some
7 appreciation to Representative Brown for some things
8 that I found in the bill that I found helpful. It was
9 the only one of the bills that I had looked at that had
10 a provision dealing with an exemption for people who
11 were indigent and people who live in nursing homes, and,
12 you know, when I saw that, it definitely made me pause
13 because those are a lot of the people that I work with,
14 and so I did want to point out that I think that you may
15 have indicated to an earlier witness that this is
16 something that you are aware of.

17 One of the limitations of that exemption
18 was that it seems to only be amicable during early
19 voting at the main early voting polling place, and, of
20 course, in some areas that is a big limitation if you
21 are in a big city that hasn't identified one.

22 REPRESENTATIVE BROWN: That point needs to
23 be amended.

24 MR. RYNDERS: And so, you know, that's
25 something you're willing to look at. It would certainly



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1 extend the practical utility of that exemption.

2 The other concern that I had was the two
3 non-photo ID list, and I take it from your earlier
4 comments that you've kind of taken a different view of
5 that to having to require one and the other, so I think
6 that that's a positive improvement as well. So I --
7 That's all I'd like to say on this unless there's any
8 questions.

9 CHAIRMAN SMITH: Any questions, members?
10 I don't see any. Thank you very much.

11 At this time the chair recognizes Dustin
12 Rynders to testify for House Bill 2335. State your name
13 and who you represent.

14 MR. RYNDERS: Yeah. Dustin Rynders just
15 representing Advocacy, Incorporated, testifying for this
16 bill. A lot of the testimony we've heard over the last
17 couple days especially highlighted by Representative
18 Bohac mentioning often Andrew Young's comments about how
19 IDs bring people into the mainstream of society.
20 Certainly the testimony I offered earlier to you about
21 the people that I have represented who don't have IDs
22 that would find them useful in accessing other services,
23 absolutely true, and so providing free IDs to people is
24 something that we a hundred percent support. All I have
25 to say unless there's questions.



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1 CHAIRMAN SMITH: Questions, members?

2 Don't see any. Thank you very much.

3 Chair recognizes Dustin Rynders to testify
4 against House Bill 3556. Please state your name and who
5 you represent.

6 MR. RYNDERS: Yeah. Dustin Rynders,
7 Advocacy, Incorporated, and the Disability Policy
8 Consortium, testifying against the bill for all the
9 reasons formerly mentioned. The only other reason I
10 wanted to testify separately on this one is,
11 Representative Bonnen, to explain to you that I did
12 appreciate -- I did appreciate that in your bill
13 compared to the senate version that we looked at
14 earlier, the provisional ballots were at least dealt
15 with so that there was a provision for someone to come
16 back and cure and, you know, not having a provisional
17 ballot within a 10-day window.

18 The other thing that I wanted to take a
19 minute to kind of mention using this opportunity for
20 more time, it's relevant to all of these bills, is that
21 there's been a lot of discussion about Florida and how
22 we handle ballots after the fact. I do want to point
23 out if you're looking at signature matches as a way of
24 handling ballots after the fact, people who have poor
25 fine motor skills, some people with disabilities who



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1 don't have good signatures are not going to do as well
2 with this kind of fix as other people, and so I would
3 encourage you to instead look to Michigan who has an
4 affidavit bypass that's not going to rely as much on a
5 signature match instead of looking at the signature
6 match requirements of Florida. Any questions?

7 CHAIRMAN SMITH: Questions, members?
8 Don't see any.

9 UNIDENTIFIED SPEAKER: I'd like to thank
10 you for testifying on my bill.

11 MR. RYNDERS: Thank you. And have a good
12 night.

13 CHAIRMAN SMITH: Thank you very much.
14 B.R. Wallace?

15 MR. WALLACE: That's my other name. She
16 said I don't think this person's here.

17 CHAIRMAN SMITH: I've got six witness
18 forms for you.

19 MR. WALLACE: Most of them are not oral
20 testimony.

21 CHAIRMAN SMITH: Oh, okay. Well, let's
22 start with the one on the top that is testifying and
23 that is House Bill 125. Please state your name --
24 You're in favor of it. Your name and who you represent.

25 MR. WALLACE: B.R. Skipper Wallace, and



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TX_00034320

1 I'm with the Texas Republican County Chairmans
2 Association, and we are for Betty Brown's Bill 125. We
3 certainly support the efforts to make a stronger bill
4 that we could use to support the photo ID effort. We
5 feel like this bill actually is a little more stringent,
6 has a few less opt-outs for photo IDs and so forth, that
7 this might actually be a better bill than the Senate
8 bill, but we certainly would support her bill if it is
9 the decision of the committee to -- to vote this one
10 out.

11 CHAIRMAN SMITH: Thank you very much. Any
12 questions, members? Thank you. The chair recognizes
13 B.R. Wallace to testify against House Bill 2513. Please
14 state your name and who you represent.

15 MR. WALLACE: I think that's with no oral
16 testimony though, isn't it?

17 CHAIRMAN SMITH: Okay. Well, it does say
18 you wish to testify. Do you want me to change that?

19 MR. WALLACE: Yeah.

20 CHAIRMAN SMITH: You don't wish to
21 testify?

22 MR. WALLACE: No, I don't want to testify.

23 CHAIRMAN SMITH: He thinks you just did.
24 Okay. Any questions, members?

25 UNIDENTIFIED SPEAKER: Why do you not want



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1 to testify?

2 CHAIRMAN SMITH: Are there -- any other --
3 Any other bills you wish to testify on?

4 MR. WALLACE: No.

5 CHAIRMAN SMITH: Okay. Thank you.

6 MR. WALLACE: Thank you.

7 CHAIRMAN SMITH: Vanessa Edwards Foster.
8 I think she left. Remember her? Show her as not
9 testifying against 125. Roxanne Lewis? Sarah McDonald?
10 Carol Alexander? Bill Baker? Madeline Dewar? Carla
11 Mercado?

12 REPRESENTATIVE BROWN: We need to call in
13 the others from the overflow room.

14 UNIDENTIFIED SPEAKER: We should slow down
15 and give them the chance to walk over.

16 CHAIRMAN SMITH: Avril McClure?

17 REPRESENTATIVE BROWN: They could be in
18 there asleep. Check.

19 CHAIRMAN SMITH: John Chairez Hernandez?
20 John Cook? H. Dale Jennings? Wayne Lessmann? Kenneth
21 Flippin? Russell Smith? Lydia Camarillo? Maria
22 Martinez? Come on down. Testifying on behalf of IRCOT
23 for House Bill 125. Please state your name and who you
24 represent.

25 MS. MARTINEZ: Maria Martinez, and I



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1 represent the Immigration and Reform Coalition of Texas,
2 and I am here to testify in favor of House Bill 125.
3 Because the hour's so late, I'll just be brief, and I
4 apologize for not bringing this up last time, but I
5 didn't get my caffeine, and, of course, I still haven't
6 gotten my caffeine, but I got some rest. I have -- I
7 just wanted to mention the fact that in Mexico, if
8 you're a voter and you want to vote, this is the type of
9 card that you would use, has a picture of the
10 individual, their address and so forth, age, and on the
11 back it has their thumbprint and signature. And then
12 when they go to the polls, the sheets have the
13 individual's name and, of course, their number and their
14 ID, their photo, and then, of course, they'll sign and
15 leave the thumbprint. So I would just say that we're a
16 little bit behind here, folks, and it would be wonderful
17 if we could do something about that.

18 CHAIRMAN SMITH: Any questions, members?
19 Representative Brown?

20 REPRESENTATIVE BROWN: Just brings to mind
21 we had testimony a little earlier that said that there's
22 no way we could be the ones that retain the photographs
23 and just have the person show up and we look and see. I
24 wonder if -- if that wouldn't be the answer for the poll
25 workers that would not want to deal with the electronics



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1 and have a book with pictures in it.

2 MS. MARTINEZ: Well, it does work in a
3 country that's not as technologically advanced.

4 REPRESENTATIVE BROWN: I'm thinking down
5 the road, but --

6 MS. MARTINEZ: Sure.

7 REPRESENTATIVE BROWN: Thank you.

8 MS. MARTINEZ: Thank you.

9 CHAIRMAN SMITH: Any other questions,
10 members? Thank you, Ms. Martinez. The chair recognizes
11 Maria Martinez to testify for House Bill 3556. Please
12 state your name and who you represent.

13 MS. MARTINEZ: Maria Martinez, and I
14 represent the Immigration and Reform Coalition of Texas,
15 and we like all the good bills coming out of your
16 office.

17 UNIDENTIFIED SPEAKER: Don't hold back.

18 MS. MARTINEZ: That's probably all I
19 should say.

20 CHAIRMAN SMITH: Any questions, members?

21 UNIDENTIFIED SPEAKER: You got 3 minutes.

22 MS. MARTINEZ: Good night. Sleep tight.

23 CHAIRMAN SMITH: Thank you. Oh, boy. The
24 chair calls Mary Ann Collins --

25 UNIDENTIFIED SPEAKER: Yes. Come on down.



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1 CHAIRMAN SMITH: -- to testify against
2 House Bill 2553 -- 2513. I'm transposing.

3 MS. COLLINS: That was Hopson's bill.
4 Well, originally I was against that because I state --
5 My name is Mary Ann Collins representing myself.

6 CHAIRMAN SMITH: Thank you.

7 MS. COLLINS: I'm opposing the bill
8 because I felt like that was a huge expense to go
9 through all that. I didn't realize that you could
10 transpose all the driver's licenses and all the other
11 photos that are all over this state and make one card.
12 However, I think representative -- I believe it was
13 Bohac made the point, you know, 98 percent of the people
14 have already got all this stuff, so why are we
15 reinventing that wheel and we need to address the other
16 2 percent. So I still probably am going to be opposed
17 to that bill just because I think it's a waste of time
18 and money.

19 CHAIRMAN SMITH: Questions, members?

20 MS. COLLINS: It sounds like a good idea,
21 but I think it's a waste of time and money.

22 CHAIRMAN SMITH: Representative Anchia?

23 REPRESENTATIVE ANCHIA: We're on a roll.
24 Should -- If voter registration cards with photos on
25 them would be a waste of money because 98 percent of the



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1 people have photo ID already, should we just get -- get
2 rid of voter registration cards?

3 MS. COLLINS: No.

4 REPRESENTATIVE ANCHIA: Okay.

5 MS. COLLINS: One thing.

6 REPRESENTATIVE ANCHIA: Explain that
7 rationale.

8 MS. COLLINS: Well, you know, it kind of
9 goes into what -- I don't you don't want to talk about
10 another bill, but it does go into what Representative
11 Dunnam said, you know, those voter registration cards
12 are not quite as worthless as he claimed them to be.
13 They are bar coded, and in Dallas County, they take
14 those bar codes and go under the some kind of scanner
15 thing for early voting. Now, I'm sure a lot of the
16 rural counties, they probably don't do that, but in
17 Dallas County they do use those bar codes. So they are
18 not quite as worthless as he claimed them to be.

19 REPRESENTATIVE ANCHIA: If we did load --
20 if your driver's license became your ID as the young
21 lady earlier said they do in Mexico, and the information
22 was encrypted on that card, would we need voter
23 registration certificates?

24 MS. COLLINS: I'll have to think about all
25 that. I don't want to say without contemplating that.



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1 I think you probably -- There has to be something on
2 that card that says this is also a voter registration
3 card. I think that would have to be probably on there.

4 REPRESENTATIVE ANCHIA: You know, we have
5 a strip on the back of our driver's license. If it was
6 encrypted on the strip and somehow you could read that,
7 would that -- would that make sense? Should your
8 precinct --

9 MS. COLLINS: I need to think about that.

10 REPRESENTATIVE ANCHIA: -- where you live
11 and so --

12 MS. COLLINS: I don't know. I'd have to
13 think about that.

14 REPRESENTATIVE ANCHIA: Okay.

15 MS. COLLINS: One thing I will say about
16 the voter registration card, you can look on that voter
17 registration card and tell -- say what -- look and see
18 what your precinct number is and all the different
19 places, the state rep that you are going to vote for,
20 your congressional person that you are going to vote
21 for, all that information is right there readily
22 available, and, you know, it wouldn't be on a magnetic
23 strip on a plastic card. The voter might not be able to
24 -- I mean, I don't know how he -- the voter would figure
25 all that out. I'd have to think about all that.



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1 REPRESENTATIVE ANCHIA: Don't feel you
2 need to answer now because I want to have something to
3 look forward to which is your coming back with that
4 answer.

5 CHAIRMAN SMITH: Good idea. Thank you.

6 REPRESENTATIVE ANCHIA: A reason to get up
7 in the morning.

8 CHAIRMAN SMITH: Thank you for your
9 testimony.

10 UNIDENTIFIED SPEAKER: I thought you were
11 talking about your bedroom at home. I'm sorry.

12 MS. COLLINS: If you'd let me testify on
13 33, whatever it is, I can go home go back to where I'm
14 staying.

15 CHAIRMAN SMITH: Any other questions,
16 members?

17 UNIDENTIFIED SPEAKER: No. Did you hear
18 her request?

19 CHAIRMAN SMITH: No. What was it?

20 MS. COLLINS: I said if you would let me
21 testify on Representative Bonnen's bill, then I can go
22 back to where I'm staying so those people -- and I don't
23 have to get them up in the middle of the night.

24 CHAIRMAN SMITH: Let's get that done.
25 What number is that?



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1 MS. COLLINS: It's 35 --

2 CHAIRMAN SMITH: 3556. The chair
3 recognizes Mrs. Collins to testify for 3556. Please
4 state your name and who you represent.

5 MS. COLLINS: Mary Ann Collins
6 representing myself. I am in favor of Representative
7 Bonnen's bill, and one of the reasons I like it is
8 because it's simple.

9 REPRESENTATIVE BONNEN: Thank you. I've
10 been called simple before and not in a positive way.

11 MS. COLLINS: I didn't say you're simple.
12 I said your bill is simple.

13 REPRESENTATIVE BONNEN: No, no, that's --
14 it was a compliment.

15 MS. COLLINS: The other thing I like about
16 it is that it names two other forms of identification
17 that are acceptable, one of which has been discussed
18 today, and that is a student identification card issued
19 by a public or private institution of higher education
20 located in Texas that contains the person's photograph.
21 I think that is a very good point about this bill.

22 REPRESENTATIVE BONNEN: Thank you.

23 MS. COLLINS: The other thing that I like
24 in here --

25 REPRESENTATIVE BONNEN: And for the



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1 record, that was done before the young lady testified
2 earlier today.

3 MS. COLLINS: That's right. The other
4 thing I like is a valid employee identification card
5 that contains the person's photograph and is issued by
6 the employer of the person in the ordinary course of the
7 employer's business, school teachers, all -- you know,
8 we work in a -- most factories now require those, so I
9 think it should be acceptable because it's got the
10 picture on it. That's the point.

11 UNIDENTIFIED SPEAKER: Are you sure you
12 haven't already been to his home?

13 MS. COLLINS: To whose home? No, I
14 haven't.

15 REPRESENTATIVE BONNEN: I appreciate that
16 because I have a lot of plant employees in the security
17 at Dow Company or BSF, and the credentials required to
18 enter and exit those facilities are rather significant.
19 One quick thing I'd like to point out. You were talking
20 about how wonderful my bill is. One change I want you
21 to be aware of that I would make if my bill made it out
22 of committee, Mr. Chairman, would be that in it I have a
23 10 -- 10 business days for them to come back and show
24 proof on the provisional ballot. I would change that
25 backwards to seven because of canvassing and that.



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1 MS. COLLINS: Also, I like the idea that
2 your bill is going to be implemented sooner rather than
3 later. I think I would find January the 1st, 2010,
4 acceptable.

5 CHAIRMAN SMITH: No, it won't.

6 MS. COLLINS: Won't be what?

7 CHAIRMAN SMITH: No, it won't.

8 REPRESENTATIVE BONNEN: Mr. Smith is
9 suggesting that my bill won't see the light of day.

10 CHAIRMAN SMITH: Well, no, actually,
11 that's not what I was suggesting. What I was suggesting
12 is the legal challenges to his bill will prevent it from
13 being implemented right away.

14 MS. COLLINS: That may be the case. I
15 don't know what all those are, so it may be Betty
16 Brown's bill has more stuff that --

17 REPRESENTATIVE BONNEN: Come on. Don't
18 let him beat you into that.

19 MS. COLLINS: But, anyway, I've already
20 said why I like your bill, and I also like the
21 implementation of the fact that it's done sooner. I
22 feel like January 1st, 2010, is a fair date --

23 REPRESENTATIVE BONNEN: That's a very good
24 day.

25 MS. COLLINS: -- for this to be



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1 implemented, and the reason why I'm saying that is if
2 all of the voters who were registered and mobilized to
3 vote for last November, if that could be done in the
4 short period of time that it was done, we can get this
5 done.

6 REPRESENTATIVE BONNEN: That's right.

7 MS. COLLINS: Especially when the
8 Secretary of State is promulgating it, and it could
9 start -- if whatever bill passes, it can be started
10 immediately saying that at such and such a time you are
11 going to have to have so and so and so and so. I will
12 say --

13 CHAIRMAN SMITH: In a perfect world where
14 there was no lawyers, you would be correct.

15 MS. COLLINS: Well, that's true. But,
16 anyway, I will say that --

17 REPRESENTATIVE BONNEN: Well, we wouldn't
18 have that if we didn't have lawyers.

19 MS. COLLINS: A lot of the people in my
20 precinct just automatically pull out their voter
21 registration card and their driver's license, and when I
22 poll watched in another minority precinct, not in Oak
23 Cliff, but in another one in Dallas County, I would say
24 probably -- of the voters used their driver's license
25 rather than their voter -- one lady out of all the poll



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1 watching I've ever done used -- and it's been used a
2 lot, their utility -- some utility bill or something
3 like that. I forgot exactly what it was, but one person
4 out of all that time.

5 CHAIRMAN SMITH: Yes, Representative
6 Bonnen?

7 REPRESENTATIVE BONNEN: I just have to ask
8 you this question. I vote with my driver's license, and
9 I vote in my hometown where I was born and raised and
10 have lived my entire life except for Stinson College,
11 and the nice ladies who I grew up around who have worked
12 the polls forever, they chastise me greatly for not
13 having my Voter ID card. Would you do that to me if you
14 were --

15 MS. COLLINS: No.

16 REPRESENTATIVE BONNEN: Thank you.

17 MS. COLLINS: Because under the present
18 law, it says, you know, you can have the photo ID. If
19 they present identification that's listed as one of the
20 forms of identification along with about 20 others and
21 that is an acceptable form, so, no, we don't say
22 anything.

23 REPRESENTATIVE BONNEN: I've never
24 understood why they pick on me about that. Thank you.

25 CHAIRMAN SMITH: Any other questions,



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1 members? Okay. Do you wish to testify yes or no on
2 House Bill 4418?

3 MS. COLLINS: Is that Dunnam's bill?

4 CHAIRMAN SMITH: Yes.

5 MS. COLLINS: Well, that is just a joke.

6 CHAIRMAN SMITH: Well, state your name and
7 who you represent.

8 MS. COLLINS: Mary Ann Collins. I
9 represent myself.

10 CHAIRMAN SMITH: Okay. Let us have it.

11 MS. COLLINS: All right. All he is saying
12 is nothing more than what we already have. The voter
13 registration card, it's only laminated and it's plastic.

14 REPRESENTATIVE BONNEN: That's, I think,
15 his point, unfortunately.

16 MS. COLLINS: Well, the point is -- I
17 mean, it's crazy. We've got a voter registration card
18 now that serves the same person and the security that he
19 keeps harping about of the security of the ballot that
20 is not the issue. The security of the ballot, the issue
21 is is this the person -- is this the person who's
22 presenting this card. It's not the security of the
23 ballot itself. It's is this that person? That's the
24 point of the whole thing. So that other stuff is in my
25 opinion nuts.



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1 CHAIRMAN SMITH: Any questions, members?

2 UNIDENTIFIED SPEAKER: I'd like to --

3 CHAIRMAN SMITH: The only regret is that
4 he wasn't here to hear that.

5 MS. COLLINS: I might have been a little
6 bit nicer if he had been here. Probably not though.

7 UNIDENTIFIED SPEAKER: I want to be very
8 clear that the record should reflect that the Dunnam
9 bill is nuts.

10 CHAIRMAN SMITH: Questions?

11 REPRESENTATIVE BROWN: Thank you,
12 Mr. Chairman. I just wanted to say thank you to Mary
13 Ann and to tell the committee how fortunate I am because
14 Mary Ann was involved in my recap, so you can imagine
15 how -- how she impressed the members of the ballot
16 board. Thank you, Mary.

17 MS. COLLINS: I will have -- may I ask --
18 Well, I think I shouldn't say that, but Buck Woods sat
19 at the same table that I was, and he had a really good
20 time reading the New York Times the majority of the
21 time, so he said he never saw voter fraud. Well, he's
22 busy reading the New York Times.

23 CHAIRMAN SMITH: Thank you. Roberto
24 Hinojosa?

25 UNIDENTIFIED SPEAKER: Not here.



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1 UNIDENTIFIED SPEAKER: He left.

2 CHAIRMAN SMITH: Dick Tyson? I think I
3 remember him.

4 UNIDENTIFIED SPEAKER: He's not here. He
5 used to be one of my constituents.

6 CHAIRMAN SMITH: Randy Weber? Sandra
7 Lackey? Marsha Correira? Ruth Epstein? Albert
8 Stewart? I want to invite you to come back to any
9 elections committee hearing that we have because
10 everybody on the committee would like to make that
11 invitation to you.

12 MS. COLLINS: Thank you. I've been here
13 on some of them. I don't know how many, but some.

14 UNIDENTIFIED SPEAKER: I would -- I'd like
15 to make the recommendation that we simply allow her to
16 be used as a special resource witness in the future.

17 UNIDENTIFIED SPEAKER: I'm here with my
18 list of bills that she can come --

19 REPRESENTATIVE BROWN: Just put her on the
20 committee.

21 CHAIRMAN SMITH: I recommended she run.

22 UNIDENTIFIED SPEAKER: We're killing all
23 those bills.

24 CHAIRMAN SMITH: Christopher Bilardi? I
25 don't want to kill all these bills.



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1 MS. COLLINS: So just put me down.

2 CHAIRMAN SMITH: Do you have that you are
3 testifying? Come up real quick.

4 REPRESENTATIVE BROWN: You'll have to come
5 up or you'll kill the bills. Just come on up and say
6 that there it is.

7 CHAIRMAN SMITH: I recognize Carolyn
8 Galloway in favor of House Bill 125. Please state your
9 name and who you represent.

10 MS. GALLOWAY: Carolyn Galloway, and I
11 represent Texas Eagle Forum. Is that all and I'm in
12 favor.

13 CHAIRMAN SMITH: It says here you are
14 representing yourself. Do you want to put down here
15 that you're representing the Eagle Forum? Please do.

16 MS. GALLOWAY: I thought I did.

17 UNIDENTIFIED SPEAKER: Don't hurry.
18 Mrs. Collins is waiting.

19 CHAIRMAN SMITH: Any questions, members?
20 Good night. Thank you. Laura Allbritton? Louise
21 Whiteford? Hayward Vickery, Junior? Shirley Lindsey?
22 Melissa Gonzalez? Matthew Mannis? Laurie Bartlett?
23 Terri Burke? Keith Rodebush? Thank you. Testifying
24 for House Bill 125. Please state your name and who you
25 represent.



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1 MR. RODEBUSH: Keith Rodebush. I'm here
2 representing the North Shore Republicans Club at Lago
3 Vista, Texas. I have a statement that was approved by
4 the board members of the North Shore Republicans.
5 Pardon me. But after being here for 13 hours, if you
6 don't mind, without objection, I'd like to just turn
7 this over to you and go rogue for a little bit.

8 CHAIRMAN SMITH: Sure. You are welcome
9 to.

10 MR. RODEBUSH: Thank you very much for
11 having us here. I want to say that first, get that out
12 of the way. I really appreciate everything you're doing
13 and the hours that you're putting in on this very
14 important issue. But after listening to all the
15 testimony that I've heard today, I have to say that in
16 my opinion -- again, this is not the North Shore
17 Republicans speaking, this is Keith Rodebush -- this is
18 exactly the problem with our government. We get so tied
19 up in the minutiae of everything. Everybody's trying to
20 work out all these fine details that we forget the
21 overall philosophical debate. And that's what I would
22 like to have all of you think about is to concentrate on
23 the overall philosophical debate. The right to vote
24 obviously is a sacred right. It should be protected for
25 all people.



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1 You're never going to get rid of all the
2 fraud. You're never going to keep from disenfranchising
3 someone. Those are facts. We all know that. That's
4 philosophical debate. It is your job as the government
5 to protect our right to vote, however, and to make it as
6 secure as possible. So you have to weigh on the one
7 hand your overall job to protect our right to vote. On
8 the other hand, what you have is convenience and cost.
9 You want to make it as convenient as possible. You
10 don't want to spend too much money on this.

11 The logical decision to make on this is a
12 photo ID. It is not perfect. Some people will be
13 disenfranchised. They may get scared and walk away. I
14 guess those same people don't rent videotapes because
15 you have to have a photo ID to do that.

16 CHAIRMAN SMITH: You also have to have a
17 DVD player.

18 MR. RODEBUSH: Exactly. And the other
19 thing I'd say, you know, these groups that come up
20 against this bill, I respect them and all the work
21 they're doing is fantastic, the time that they're
22 spending. If they spent that time and the money and the
23 resources going out there and getting photo IDs for all
24 their constituents, we've got 2 percent -- We've all
25 said here today you've got 2 percent that need photo



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1 IDs. If all these groups get together, I guarantee you
2 they could have photo IDs for those 2 percent of the
3 Texans in no time, and the issue would be over.

4 So that's all I'd like to say. It's late,
5 and I know we're all getting a little punch drunk here,
6 but please everybody keep in mind that the overall
7 debate, the philosophical debate is the most important.
8 It is up to you to protect our right to vote. It is not
9 up to you to get us up off the couch, make us go down to
10 the voting booth, make us get a photo ID. We do that on
11 our own. It's a responsibility, not just a right. All
12 of the founding fathers said that we did not want to
13 just sweep up everybody in the country and take them
14 down to the voting booth. You needed to be informed.
15 You needed to be motivated. It's part of it. It is a
16 responsibility.

17 CHAIRMAN SMITH: Tell me this.

18 MR. RODEBUSH: It's not just a right.

19 CHAIRMAN SMITH: Tell me this. Because of
20 the concerns regarding economic barriers for that
21 percentage, would you be willing to pay if it were
22 determined that this is someone requesting an ID who
23 does not have a driver's license -- we could determine
24 that, they don't have a driver's license? They're
25 requesting an ID for purposes of voting. Would you as a



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1 taxpayer of the state be willing to pay for them to
2 obtain a birth certificate at taxpayer expense?

3 MR. RODEBUSH: No, sir. The reason I say
4 that is because I want to get back to what I said
5 originally. This is the problem with the government.
6 Everybody comes to daddy government and says I've got a
7 little problem here and now you have to fix it. Oh,
8 I've got a different problem and you have to fix it.
9 Oh, I've got a different problem and you have to fix it.
10 I say that you, as the government, need to tell us that
11 we're going to protect your right to vote. We're going
12 to do that by requiring you to have a photo ID. It's up
13 to the rest of us to take care of it.

14 Speaking again for the North Shore
15 Republicans, I can tell you that if there's anybody in
16 our neighborhood that cannot afford a photo ID, we would
17 be the first ones on the block to make sure they got
18 one, and I know many organizations that would be willing
19 to help people out, and that's what I want you to
20 understand.

21 You don't need to fix every little problem
22 here. Let us do it. We can do it. Churches can do it.
23 All these groups that came up tonight, they have lots of
24 money, and people all over the streets, they can do it.
25 We can get photo IDs for this 2 percent, and we really



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1 don't need you, sir.

2 CHAIRMAN SMITH: Well, I agree with you
3 that we can't fix every little problem. What I disagree
4 with you about is that economic barriers to a voting
5 booth is a little problem.

6 MR. RODEBUSH: I don't think it's a little
7 problem, but I don't think it's a problem that you
8 necessarily have to fix, especially if you end up
9 jumping through many more hoops making laws very
10 complicated and then tell the people now the taxpayers
11 all have to pay money for this. We have to have systems
12 in place. It doesn't have to be all that difficult.
13 The only thing the lady that we just saw that you like
14 so much, she says it's very easy. I just want to know
15 the person standing in front of me is who he says he is.
16 If somebody comes in and says they're Keith Rodebush,
17 you need to know that that's who it is. So a photo ID,
18 that's your job. Getting the photo ID is Keith
19 Rodebush's job.

20 Now, if I'm indigent and there's no way I
21 can do it, there are organizations out there who help
22 these kind of people all the time. I contribute to some
23 of those organizations. I'd be glad to write those
24 people letters that I contribute to and say here's where
25 I'd like some of my money going. Make sure that they



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1 have photo IDs.

2 CHAIRMAN SMITH: Well, I don't think
3 anybody -- I don't think anybody really alleged that
4 there's anybody out there, anybody, you know, that can't
5 at some point in their life access 20 to \$40. The
6 question is whether or not there is a category of voters
7 that because of that cost is going to be deterred from
8 voting. That was the issue of the poll tax. It wasn't
9 that there were a lot of voters out there that couldn't
10 handle 1.50. It was that that particular class of
11 voters would be particularly deterred from voting
12 because that had a more significant effect on them than
13 it did on other classes of voters, and that -- that's --
14 and that's the ruling of the Supreme Court and that rule
15 has not changed and will not change and that requires us
16 to treat economic barriers differently.

17 Now, I don't know that the problem here is
18 a legal barrier because I think the kind of thing that
19 we are talking about, and if I'm correct, has been held
20 not to be a legal poll tax, but I still believe it's a
21 legitimate issue as a matter of public policy for us to
22 consider.

23 MR. RODEBUSH: I can appreciate you being
24 concerned about that, especially since you have to
25 listen to testimony of person after person saying, oh,



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1 my God, nobody will ever vote if you do this, sir.

2 CHAIRMAN SMITH: Nobody said that.

3 MR. RODEBUSH: I'm exaggerating to make a
4 point, obviously.

5 CHAIRMAN SMITH: Indigents will not vote
6 in disproportionate numbers to the extent that you
7 create economic barriers to polls, and I think they're
8 right about that.

9 MR. RODEBUSH: But if those indigents are
10 helped by somebody to get a photo ID, not only will they
11 vote, they will have a photo ID for other purposes.
12 They will be better off for it.

13 CHAIRMAN SMITH: I agree with you about
14 that.

15 MR. RODEBUSH: And what I'm saying to you,
16 sir, is that it's -- I don't believe that it's the
17 government's job to go out and fix all of these small
18 little problems that rise from anything that you do.
19 That's up to the individual to participate. I don't
20 believe that you're putting a substantial barrier in
21 their way. That's not to say there's not some barrier.
22 The same could be said that they have to make it down to
23 the polling station too. Do we have to have a tax now
24 to give everybody gas money to get to the polling
25 stations? Some people don't -- When gas went \$4 a



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1 gallon, there are some people that don't have \$4. I
2 understand that.

3 That's why I'm saying, philosophically
4 speaking, you are not going to solve it all, and we
5 shouldn't try to. We should try to look at it from a
6 broader perspective and say that there is a good reason
7 for the government to protect our right to vote for the
8 money and for the convenience of it. The easiest way to
9 do that right now is with a photo ID, which we've all
10 said today 98 percent of us already have. The 2 percent
11 that do not have that, you're claiming a burden will be
12 put upon, can be fixed by us without you writing
13 anything. That's what I'm saying. Nobody should be
14 denied a right to vote, nobody.

15 CHAIRMAN SMITH: If I believed that, I
16 could assure that that would happen, then I wouldn't
17 have any problem philosophically, but I don't know how
18 you assure me on that.

19 MR. RODEBUSH: I don't know how you assure
20 me that any bill that you ever write is not going to
21 keep somebody from voting.

22 CHAIRMAN SMITH: No. I think that's
23 correct as a matter of degree.

24 MR. RODEBUSH: What I'm saying is that
25 you're not putting an undue burden upon them.



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1 CHAIRMAN SMITH: Any other questions,
2 members?

3 REPRESENTATIVE BROWN: Thank you. Thank
4 you. I think that you have kind of brought us back to
5 full circle where we started off, you know, saying that
6 we need photo IDs, and you're right. We have gotten
7 involved in all the minutiae. We've had to do that, but
8 we don't need to lose site of the fact of our goal, and
9 our goal is to create photo IDs so that our elections
10 will be more secure.

11 MR. RODEBUSH: Well, thank you, ma'am, and
12 that's the reason that I waited this long to come in on
13 your bill because it was more simplified, and I think
14 that's the way it needs to be. I think we need to
15 understand that there are things the government can do,
16 but we really need to get away from this idea that the
17 government needs to take care of every little small
18 problem in our lives. It's getting way out of hand.

19 REPRESENTATIVE BROWN: We've gone awful
20 far down that road.

21 MR. RODEBUSH: It's not just on this
22 issue, but it's on many more issues and especially at
23 the Federal level. Looking at what's happening at the
24 Federal level. This is what happens when the government
25 thinks it has to fix everything, and you may think,



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1 well, that's not going to happen here in Texas. That
2 didn't happen overnight. It happened over 200 years,
3 and it can happen here too if we continually think that
4 we have to fix every little minute detail. No. Your
5 job is to set the philosophical larger aspect of the
6 issue. It's the rest of our responsibility to get out
7 there and take care of it on our own.

8 CHAIRMAN SMITH: Any other questions,
9 members?

10 REPRESENTATIVE BROWN: Thank you, sir.

11 CHAIRMAN SMITH: Thank you, sir.
12 Appreciate it.

13 MR. RODEBUSH: Thank you very much.

14 CHAIRMAN SMITH: Robert Green? Brent
15 Munhofen, whatever -- Munhofen. Barbara Mabray --
16 Mabray? God. Barbara Mueller? Rebecca Forest? John
17 Yarber? Ramiro Mondragon?

18 UNIDENTIFIED SPEAKER: Mondragon.

19 CHAIRMAN SMITH: Thank you.

20 UNIDENTIFIED SPEAKER: Or whatever.

21 CHAIRMAN SMITH: David Harris? Roman
22 Pena? Brenda Johnson? Sheila Dean? Richard Wheeler?
23 Estelle Teague? Donna Keel? Martha Blomquist? Anybody
24 else who wishes to testify for or against House Bill
25 125, House Bill 2335, House Bill 2513, House Bill 3556,



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1 House Bill 4418 or House Bill 4421? Patti?

2 MS. EDELMAN: Representative Bonnen
3 probably lost it. Yes. I'm Patti Edelman.

4 CHAIRMAN SMITH: I think you just
5 mistakenly put no testimony. Did you not mean to do
6 that?

7 MS. EDELMAN: I put no originally and then
8 I X'd it out and circled the other one.

9 CHAIRMAN SMITH: Okay. Only on one bill
10 which is 4421?

11 MS. EDELMAN: Whatever.

12 CHAIRMAN SMITH: All of them?

13 MS. EDELMAN: My points are germane to you
14 pick up --

15 CHAIRMAN SMITH: Yeah. I'm going to hear
16 them one at a time.

17 MS. EDELMAN: Which one you want me to
18 talk about? You just say what number it is, and I'll
19 speak.

20 CHAIRMAN SMITH: Okay. Good. That's
21 pretty impressive. 4421. If I could ask Patti Edelman.

22 MS. EDELMAN: I'm Patti Edelman.

23 CHAIRMAN SMITH: Testifying for that house
24 bill on behalf of yourself. Please state your name and
25 who you represent.



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1 MS. EDELMAN: My name is Patti Edelman.
2 I'm representing me as a citizen.

3 CHAIRMAN SMITH: Okay.

4 MS. EDELMAN: Two points. The woman
5 earlier that you all were joking around with made some
6 comment about how driver's licenses didn't do this, that
7 and the other, and I went and pulled mine out, and,
8 actually, it has a bar code on the back of it and having
9 been a poll worker, I can tell you that the bar code
10 actually -- is connected to the VUID number, which is
11 the Voter Unique ID Number, and so there's nothing that
12 would prevent this right now from being used as a photo
13 ID, and mine looks better than yours because my hair's
14 the same.

15 UNIDENTIFIED SPEAKER: Well, actually, you
16 don't have my driver's license.

17 MS. EDELMAN: No. I said mine looks
18 better. Does yours have hair on it?

19 UNIDENTIFIED SPEAKER: I can't control
20 whether legislative services uses updated photos, but my
21 driver's license does.

22 MS. EDELMAN: The other thing that I
23 wanted to say about -- about Voter ID and whether or not
24 somebody would have one or not such as the gentleman who
25 just spoke about the government's not responsible for



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1 having -- giving people IDs or making sure they have
2 them is that that's not true. The government is
3 responsible if the government is requiring it, and by
4 using his method that some entity out there is just
5 going to help people to get a voter -- a picture ID
6 leaves open to fraud and abuse and you're creating
7 another problem because what's to say that one party or
8 another, one entity or another one, party boss, one job
9 boss, isn't go to say, well, I'll get your Voter ID for
10 you so that you have one, but then, you know, you kind
11 of need to vote our way.

12 And so if the government wants to require
13 it, the government either needs to make sure that the
14 people who can afford to get it like we do, or that
15 those who can't are able to get it without being coerced
16 or cajoled or assisted by some other entity who might
17 want to courier their favor. That's what all -- That's
18 all I have to say.

19 CHAIRMAN SMITH: Any questions of
20 Ms. Edelman regarding House Bill 4421 by Dunnam? Don't
21 see any. Thank you very much. The chair recognizes
22 Patti Edelman to --

23 MS. EDELMAN: No, I'm done.

24 CHAIRMAN SMITH: Okay. No testimony. All
25 right. Got you.



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1 MS. EDELMAN: We're cooked. Oh, listen,
2 this is easy. I got to spend the night up here the
3 night of the senate hearing till 10 o'clock in the
4 morning.

5 CHAIRMAN SMITH: All right.

6 MS. EDELMAN: Good night.

7 CHAIRMAN SMITH: Thank you. Anybody else
8 here wishing to speak on, for or against all these bills
9 that we have laid out? Seeing none, the chair moves to
10 withdraw the committee -- Okay. The chair recognizes
11 Representative Brown to close.

12 REPRESENTATIVE BROWN: I close.

13 CHAIRMAN SMITH: Representative -- Okay.
14 The chair moves to withdraw the committee's substitute
15 for further review. Are there any objections? Hearing
16 none, the substitute is withdrawn. House Bill 125 will
17 be left pending before the committee. Are there any
18 objections? Hearing none, so moved.

19 Chair recognizes Representative Anchia to
20 close on behalf of Representative Heflin, 2335.

21 REPRESENTATIVE HEFLIN: Thank you,
22 Mr. Chairman, members of the committee. I close.

23 CHAIRMAN SMITH: The chair's intent is to
24 leave House Bill 2235 pending. Are there any
25 objections? Hearing none, so moved.



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1 The chair recognizes Representative
2 Chairman Bonnen to close on House Bill 2513.

3 REPRESENTATIVE BONNEN: I close for
4 Mr. Hopson's fine bill.

5 CHAIRMAN SMITH: The chair's intent is to
6 leave House Bill 2513 pending. Are there objections?
7 Hearing none, so moved.

8 The chair recognizes Chairman Bonnen to
9 close on House Bill 3556.

10 REPRESENTATIVE BONNEN: Thank you,
11 members. I was saving my comments on my bill for my
12 close, and I want to highlight to you -- I close.

13 CHAIRMAN SMITH: It's the chair's intent
14 to leave House Bill 3556 pending before the committee.
15 Are there any objections? Hearing none, so moved.

16 Chair recognizes Representative Anchia to
17 close on House Bill 448 by Dunnam.

18 REPRESENTATIVE ANCHIA: Thank you,
19 Mr. Chairman. Members of the committee, I close for
20 Mr. Dunnam.

21 CHAIRMAN SMITH: It's the chair's intent
22 to leave House Bill 448 pending before the committee.
23 Are there any objections? Hearing none, so moved.

24 The chair recognizes Representative Anchia
25 to close on House Bill 4421 by Dunnam.



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1 REPRESENTATIVE ANCHIA: By Dunnam?

2 CHAIRMAN SMITH: Yes.

3 REPRESENTATIVE ANCHIA: Mr. Chairman,
4 members of the committee, I think that existing voter
5 registration cards are stupid and that they're insecure.
6 I close.

7 CHAIRMAN SMITH: It's the chair's intent
8 to leave House Bill 4421 pending before the committee.
9 Are there objections? I hear none. So moved. Business
10 done.

11 The House Committee on Elections will
12 stand adjourned unless there are any comments subject to
13 the call of the chair.

14 UNIDENTIFIED SPEAKER: You didn't ask if
15 we had any questions --

16 CHAIRMAN SMITH: I didn't.

17 UNIDENTIFIED SPEAKER: -- or anything to
18 add.

19 CHAIRMAN SMITH: Done. Thank you, sir,
20 for all of your -- Good night.

21 (End of CD Transcription)
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23
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Hearing - Volume 3

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